

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

RACHEL SIPKA,)	
)	
Plaintiff,)	
vs.)	NO. CIV-17-0491-HE
)	
NANCY A. BERRYHILL,)	
Acting Commissioner of the)	
Social Security Administration,)	
)	
Defendant.)	

ORDER

Plaintiff Rachel Sipka filed this action seeking judicial review of the final decision of the Acting Commissioner of the Social Security Administration denying her applications for disability insurance benefits and supplemental security income. Consistent with 28 U.S.C. § 636(b)(1)(B), 636(b)(3) and Fed.R.Civ.P.72(b), the case was referred to Magistrate Judge Bernard M. Jones for initial proceedings. He has recommended that the Commissioner's decision be affirmed.

The Administrative Law Judge ("ALJ") issued an unfavorable decision on September 4, 2015, after a hearing. When the Appeals Council denied plaintiff's request for review, the ALJ's decision became the final decision of the Commissioner.

Plaintiff failed to object to the Report and Recommendation. She thereby waived her right to appellate review of the factual and legal issues it addressed. Casanova v. Ulibarri, 595 F.3d 1120, 1123 (10th Cir. 2010); *see* 28 U.S.C. §636(b)(1)(C).

Accordingly, the court adopts Magistrate Judge Jones's Report and Recommendation. The Commissioner's decision is **AFFIRMED**.

IT IS SO ORDERED.

Dated this 2nd day of February, 2018.



JOE HEATON
CHIEF U.S. DISTRICT JUDGE